



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,147	02/17/2004	David Banks	112-0146US	2277
29855	7590	07/25/2006		
WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, L.L.P. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			EXAMINER HARPER, KEVIN C	
			ART UNIT 2616	PAPER NUMBER
DATE MAILED: 07/25/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

sk

Office Action Summary	Application No. 10/780,147	Applicant(s) BANKS ET AL.	
	Examiner Kevin C. Harper	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments, filed May 8, 2006 have been fully considered and are persuasive. Examiner agrees with applicant that Berman is concerned with providing connectivity between devices (para. 20). Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hoese et al. and Chin et al.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoese et al. (US 2002/0052986) in view of Chin et al. (US 6,000,020).

1. Regarding claims 1, 9-10, 14-15, 17-18, 22 and 24, Hoese discloses a method for logically organizing devices (para. 19, last three lines) in a system comprising a fabric and a bus (fig. 3, item 52), where devices (items 58 and 66-72) are coupled to the fabric by Fibre Channel connections and to the bus by SCSI connections, the devices otherwise being able to communicate through the fabric and bus (para. 19, lines 1-9). The method comprises compiling and accessing a definition of a first configuration including at least one zone (para. 25, lines 1-6), each zone including at least one device as a member of the zone (para. 28, lines 5-8; para. 47, line 5-13), and responsive to the definition of the first configuration, restricting communications between the devices coupled to the fabric and bus (para. 5, lines 7-12; para. 25, lines 3-6; para. 26, last six lines). Further regarding claim 15, the system includes a fabric element (fig. 3, items 56 and 52), comprising several ports, a storage medium for storing a first configuration, and a logic device (fig. 5, item 85) for restricting

communications. Regarding claim 18, the method is implemented by a computer readable medium containing software (para. 31, last four lines).

2. However, Hoeser does not disclose a fabric for the storage array (items 66-72). Chin discloses using a Fibre Channel fabric for storage arrays in place of a SCSI bus (col. 4, lines 42-45; fig. 1, items 10 and 26). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a first fabric between devices (items 58 and 66-72) in the invention of Hoeser in order to provide a faster communication speed among the devices and to provide a higher number of storage devices (Chin, col. 4, lines 42-50).

3. Regarding claim 2, in Hoeser several configurations are available (para. 47).

4. Regarding claims 3 and 16, in Hoeser non-volatile memory is used (para. 35, lines 1-3 and last three lines).

5. Regarding claims 4 and 19, in Hoeser the type of communication is storage communication and the communication is restricted to the specific storage communication (para. 25, lines 1-6; note: defined storage allocation for a workstation).

6. Regarding claims 5-8 and 20-21, in Hoeser a device name (para. 41, lines 1-6; para. 32, lines 1-5; para. 25, lines 3-6) is independent of the device's location on the fabric and includes a Worldwide Port Name and Worldwide Node Name as standardized by Fibre Channel and an ALPA (para. 36, last four lines; para 41, last two lines).

7. Regarding claims 11-12, in Hoeser an unknown fabric element is coupled to the fabric (para. 41, lines 1-7).

8. Regarding claims 13 and 23, Hoeser does not disclose merging of two fabrics. Chin discloses merging of two fabrics (fig. 1, items 10, 26 and 28; col. 3, lines 67 through col. 4, line 37-44; col. 9, lines 12-18). Therefore, it would have been obvious to one skilled in the art at the time


the invention was made to modify a first configuration responsive to merging of two fabrics in the invention of Hoese in order to accommodate new topology of a network (Chin, col. 9, lines 12-18).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To, can be reached at 571-272-7629. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

July 22, 2006